



US Army Corps  
of Engineers  
Sacramento District  
1325 J Street  
Sacramento, CA 95814-2922

# Public Notice

Number: 200300824

Date: April 24, 2006

Comments Due: May 24, 2006

**SUBJECT:** The U.S. Army Corps of Engineers, Sacramento District, (Corps) is evaluating a permit application to construct the Lincoln Meadows project, which would result in impacts to approximately 3.1 acres of waters of the United States, including wetlands, in or adjacent to Auburn Ravine. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at <http://www.spk.usace.army.mil/regulatory.html>.

**AUTHORITY:** This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

**APPLICANT:** Mike Brumbaugh  
RMB Land Company, LLC  
P.O. Box 548  
Rocklin, California 95677-0548  
916-624-9202

**LOCATION:** The project site is located in Lincoln in Section 11, Township 12 North, Range 6 East, Placer County, California, and can be seen on the Lincoln, California USGS Topographic Quadrangle.

**PROJECT DESCRIPTION:** The applicant is proposing to construct a housing development. Based on the available information, the overall project purpose is to construct a 20 to 60 acre housing development in or near the City of Lincoln's planning area. The applicant believes there is a need for more housing to satisfy demand in the Lincoln area. The attached drawings provide additional project details.

## **ADDITIONAL INFORMATION:**

**Environmental Setting.** There are approximately 3.9 acres of wetlands within the project area. This includes 1.9 acres of vernal pools, 0.5 acres of seasonal wetlands, and 1.5 acres of seasonal swales. There is approximately 0.2 acres of other waters of the United States, named the Lincoln Canal, an irrigation ditch operated by the Nevada Irrigation District (NID). The site is mostly annual grassland. Vernal pools are scattered through the site. Seasonal wetlands and seasonal swales are mostly concentrated in the northwestern half of the site. The Lincoln Canal flows across the site northeast to southwest.

**Alternatives.** The applicant has provided information on several alternative sites to the proposed site within northeast Lincoln and information on alternative design configurations on

the preferred project site. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

**Mitigation.** The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. The applicant has proposed to purchase 2.9 seasonal wetland and vernal pool credits at a mitigation bank.

**OTHER GOVERNMENTAL AUTHORIZATIONS:** Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the Central Valley Regional Water Quality Control Board is required for this project. The applicant has indicated they have applied for certification.

**HISTORIC PROPERTIES:** Based on the available information (including applicant's report entitled Cultural Resources Inventory the Proposed Lincoln Meadows Development), historic resources, specifically the Lincoln Canal, are within the project's area of potential effect. The Corps will initiate consultation with the California State Historic Preservation Officer (SHPO), pursuant to the National Historic Preservation Act (NHPA), as appropriate.

**ENDANGERED SPECIES:** The proposed activity may affect Federally-listed endangered or threatened species or their critical habitat. The Corps will initiate consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service, pursuant to Section 7 of the Endangered Species Act, as appropriate. The applicant has provided information that the project will impact habitat for vernal pool fairy shrimp (*Branchinecta lynchi*).

**ESSENTIAL FISH HABITAT:** The proposed project will not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

**EVALUATION FACTORS:** The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part

230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**SUBMITTING COMMENTS:** Written comments, referencing Public Notice 200300824, must be submitted to the office listed below on or before May 24, 2006:

Andrea Jones, Project Manager  
US Army Corps of Engineers, Sacramento District  
Sacramento Valley Office  
1325 J Street, Room 1480  
Sacramento, California 95814-2922  
Email: [Andrea.J.Jones@usace.army.mil](mailto:Andrea.J.Jones@usace.army.mil)

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted, interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Andrea Jones, 916-557-7745, [Andrea.J.Jones@usace.army.mil](mailto:Andrea.J.Jones@usace.army.mil).

Attachments:

1. Vicinity map
2. Project drawings